

Message Text

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ACTION NSF-02

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FOR: NSF/INT

E.O. 11652: N/A

TAGS: SCUL, OSCI, PFOR, BU

SUBJECT: NSF MEMORANDUM OF UNDERSTANDING (MOU)

REF: NSF HULL-RONKIN TRIP REPORT, NOVEMBER 30 - DECEMBER 14, 1976

1. SUMMARY. ON FEBRUARY 15, P&C OFFICER MET WITH STOYAN KONSTANTINOV, CHIEF, PERSONNEL EXCHANGE DEPARTMENT, AND PLAMEN DESPOTOV, CHIEF OF DEPARTMENT, MAIN ADMINISTRATION FOR SCIENTIFIC COOPERATION, COMMITTEE FOR SCIENCE, TECHNICAL PROGRESS AND HIGHER EDUCATION (CSTPHE) TO DISCUSS DRAFT MOU ON SCIENTIFIC AND TECHNICAL COOPERATION BETWEEN NATIONAL SCIENCE FOUNDATION (NSF) AND CSTPHE. COMMITTEE'S INSTITUTE FOR INVENTIONS AND INNOVATIONS (INRA) IS REVIEWING MOU AND CSTPHE IS AWAITING RETURN OF ITS LEGAL ADVISER FROM U.S. FOR OPINION. CSTPHE CONSIDERS MOU "GOOD BASIS" FOR DISCUSSIONS BUT REQUESTS CLARIFICATION OF ITEMS CITED BELOW.

2. BACKGROUND. NSF'S PROGRAM MANAGER ROBERT HULL AND STAFF ASSOCIATE R.R. RONKIN DISCUSSED DRAFT MOU WITH CSTPHE DECEMBER 2 (SEE REF). AT THAT TIME
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CSTPHE INDICATED ITS RESPONSE WOULD BE MADE IN ABOUT MONTH THROUGH STEFAN KOSSEV OF BULGARIAN MISSION IN NEW YORK. NOW CSTPHE PREFERS TO PROCEED THROUGH THIS EMBASSY.

3. ART II, PARA 3. CSTPHE WISHES MOU TO HAVE MORE UNIVERSAL CHARACTER IN COOPERATIVE RESEARCH BY

INCLUDING FUTURE AGREEMENTS WITH OTHER US AGENCIES WITHIN FRAMEWORK OF MOU. CSTPHE SAYS THIS UMBRELLA-TYPE DOCUMENT WOULD BE ADMINISTRATIVELY MORE PRACTICAL FOR THEM. CURRENT AGREEMENTS INCLUDE IREX AND YMCA (LATTER UNDER A PROTOCOL SIGNED SEVERAL YEARS AGO FOR RECIPROCAL EXCHANGE OF PEOPLE). WHILE REALIZING NOT "ALL" AGREEMENTS CAN FALL UNDER MOU, CSTPHE POINTS TO ANNEX II ACTIVITIES AND REQUESTS NSF TO CONSIDER THEIR PROPOSAL. MEANWHILE CSTPHE IS READYING SUBSTITUTE LANGUAGE FOR PARA, EXPECTED SOON.

4. ANNEX I. AT DECEMBER 2 MEETING CSTPHE SAID PATENT RIGHTS NOT PART OF ANY BULGARIAN AGREEMENTS AND MATTER WOULD BE REFERRED TO INRA. CSTPHE FINDS PARA 1 LONG AND UNCLEAR. CONCERN IS OVER SEEMINGLY CONTRADICTORY REFERENCES TO ROYALTY-FREE, COSTS, AND SHARING OF ROYALTIES. IN PREAMBLE OF ANNEX MEANING OF PHRASE "FIRST REDUCED TO PRACTICE" IS UNCLEAR.

5. ANNEX II, SEC II, PARA 1. HERE PARTIES ARE SAID TO BE RESPONSIBLE JOINTLY FOR ALL MATTERS OF "PROGRAM POLICY" BUT ART. II, PARA 4 PROVIDES FOR SPECIFIC ACTIVITIES OF COOPERATION. CSTPHE SUGGESTS THESE SECTIONS SHOULD CORRESPOND AND ASKS FOR EXPLANATION OF "PROGRAM POLICY", INCLUDING HOW IT RELATES TO OTHER PROVISIONS OF MOU.

6. ANNEX II, SEC II, PARAS 2 & 3 APPEAR CONTRADICTORY. CSTPHE ASKS WHY APPROVAL OF AUTHORIZED UNCLASSIFIED

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AGENCIES NEEDED PARA 3 SINCE, UNDER PARA 2, PARTIES HAVE ALREADY DESIGNATED AGENCIES TO CARRY OUT ASSIGNED ACTIVITIES.

7. TERMINOLOGY. CSTPHE CLAIMS "MEMORANDUM OF UNDERSTANDING" IN BULGARIAN (MEMORANDUM NA RASBIRATELSTVO) IS WEAK, NOT SUFFICIENTLY MEANINGFUL. "DOGOVOR" (AGREEMENT, TREATY, CONTRACT) IS USED WITH OTHER COUNTRIES, AND ANOTHER POSSIBILITY IS "SPOGODBA" (AGREEMENT). CSTPHE, WHICH WILL REFER THIS TO ITS LEGAL ADVISER, REQUESTS NSF TO RECOMMEND (BULGARIAN) TERMINOLOGY.

8. SIGNING. P&C OFFICER BRIEFED CSTPHE OFFICIALS, WHO WERE UNFAMILIAR WITH RECENT DEVELOPMENTS, REGARDING SCIENTIFIC-CULTURAL AGREEMENT AND PROGRAM DOCUMENT, INCLUDING SIGNING PLANS. THAT IS, AGREEMENT AND PROGRAM DOCUMENT WOULD BE SIGNED IN SOFIA, PROBABLY IN MARCH, AND MOU LATER IN WASHINGTON BY CHAIRMAN

NACHO PAPAZOV. THEY CONSIDER THIS PROCEDURE SATISFACTORY.
THEY WERE INFORMED PRESIDENT'S SCIENCE ADVISER, A
POSSIBLE NOMINAL HOST FOR PAPAZOV, HAS NOT BEEN AP-
POINTED AS YET.
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